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Attorneys for Defendant  
COUNTY OF ALAMEDA

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

LISAMARIA MARTINEZ,

Plaintiff,

v.

COUNTY OF ALAMEDA, MELISSA WILK, in  
her individual capacity, EVA HE, in her individual  
capacity, MARIA LAURA BRIONES, in her  
individual capacity,

Defendants.

Case No. 20-cv-06570-TSH

**DECLARATION OF NICHOLAS D. FINE IN  
SUPPORT OF STIPULATION AND  
[PROPOSED] ORDER REGARDING  
DEADLINE ON MOTION FOR  
ATTORNEYS' FEES**

**DECLARATION (Local Rule 6-2)**

I, Nicholas D. Fine, declare as follows:

1. I am an attorney at law duly licensed to practice before all the courts in the State of California and the United States District Court – Northern District of California. I am an attorney with Orbach Huff + Henderson LLP and one of the attorneys of record for Defendant County of Alameda (“County”). If called and sworn as a witness to testify, I am competent to testify and would testify from my own personal knowledge as to the facts set forth in this Declaration, except as to those matters that are stated on information and belief herein.

2. I submit this Declaration pursuant to Local Rule 6-2, in support of the Stipulation and [Proposed] Order Regarding Deadline on Motion for Attorneys’ Fees (“Stipulation”), jointly submitted by Plaintiff LISAMARIA MARTINEZ (“Plaintiff”) and the County.

3. The Stipulation seeks to extend the time for Plaintiff to file a Motion for Attorneys’ Fees, beyond the time allowed by Federal Rule of Civil Procedure 54(d)(2)(B), which requires such motions to be filed no later than 14 days after entry of judgment. Specifically, the Stipulation requests that Plaintiff be permitted to file a timely Motion for Attorneys’ Fees: (1) no later than 21 days following the Court’s adjudication of a Renewed Motion for Judgment as a Matter of Law by the County, pursuant to Federal Rule of Civil Procedure 50(b); or (2) by March 3, 2025, in the event the County does not file a Renewed Motion for Judgment as a Matter of Law.

4. The purpose of the requested enlargement of Plaintiff’s time to file a Motion for Attorneys’ Fees is to streamline the briefing schedule of post-judgment motions, avoid the unnecessary expenditure of time and resources by the Court and the parties, and to serve the interests of judicial economy, as the Court’s adjudication of a Renewed Motion for Judgment as a Matter of Law by the County could moot or change Plaintiff’s Motion for Attorneys’ Fees, depending upon the Court’s ruling.

5. This action has been pending since September 18, 2020, and has already proceeded through trial. There have been several previous time modifications throughout the course of the past four-plus years of litigation. However, the Court has never previously modified Plaintiff’s deadline to file a Motion for Attorneys’ Fees, which is the only relief the Stipulation seeks.

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1           6.       After meeting and conferring with counsel for Plaintiff, the Parties do not foresee the  
2 requested relief having any significant impact on the case schedule. The only remaining litigation for  
3 the Parties to complete, aside from potential appellate practice, consists of the post-judgment motions  
4 discussed in the Stipulation, and the Stipulation only seeks a brief enlargement of Plaintiff's time to file  
5 a Motion for Attorneys' Fees.

6           I declare under penalty of perjury under the laws of the United States of America that the  
7 foregoing is true and correct. Executed this 22nd day of January, 2025, at Pleasanton, California.

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Nicholas D. Fine